REMARKS

Interpretation of the Brandkamp Reference

The various rejections rely on an interpretation of the Brandkamp reference that Applicant contends is inconsistent with both the cited reference and Applicant's express definitions. The Office Action asserts that the PDLs of the Brandkamp reference correspond to Applicant's print jobs that are not in a print-ready format. Office Action, page 2, section 2, second paragraph.

Brandkamp expressly states that its "PDL of Print Data File 63 is either written in Postscript Registered TM ('PS') or Hewlett Packard Printer Control Language ('HP-PCL')." Brandkamp, column 4, lines 51-53. However, Applicant expressly defines Post Script and Printer Control Language formats to be print-ready formats. *See, e.g.,* Specification, paragraph 0017 ("In one embodiment, print-ready format includes Printer Control Language, Post Script File, graphical language (i.e. Hewlett Packard graphical language), or the like."). Thus, the Office's interpretation of Brandkamp's PDLs as not being in a print-ready format is in direct conflict with Applicant's express definition.

Applicant contends that because Applicant has expressly defined Post Script and Printer Control Language formats as being print-ready formats, the Office cannot deem these formats not to be print-ready formats. Where an explicit definition is provided by the Applicant for a term, that definition will control interpretation of the term as it is used in the claim. MPEP § 2111.01(III) (*citing* Toro Co. v. White Consolidated Industries Inc., 199 F.3d 1295, 1301, 53 USPQ2d 1065, 1069 (Fed. Cir. 1999)). Applicant thus contends that the PDLs of the Brandkamp reference must be read to be in a print-ready format.

In addition, Brandkamp clearly is acting upon print jobs that are already in a print-ready format. For example, in the description of its operation, the process of Brandkamp first determines whether the subject print job includes bitmaps that are incompatible with a target printer to which the job is to be transmitted. Brandkamp, column 6, lines 13-15. However, Brandkamp expressly states that incompatibility does not relate to an inability to print, but only to a perceived print quality. Brandkamp, column 6, lines 15-19 ("The word 'incompatible', as

used in the present description, refers to a situation in which the subject job can be printed at the target printer, but the image quality of the included halftone(s) tends to be less than optimal."). Furthermore, the process of Brandkamp can pass its print jobs to the target printer without processing or alteration if it is determined that the print job would result in optimal quality of halftones as presented, or if there are no halftones present. *See,* Brandkamp, Figure 4 and accompanying text. Thus, it is evident that Brandkamp's print jobs are already in a print-ready format prior to processing.

Applicant notes that each of the independent claims recites an archive file containing one or more print jobs that are not in a print-ready format. Because Applicant has shown that the PDLs of Brandkamp cannot correspond to Applicant's print jobs that are not in a print-ready format, Applicant contends that Brandkamp fails to teach or suggest each and every limitation of Applicant's claims.

Claim Rejections Under 35 U.S.C. § 102

Claims 1-3, 10-11 and 15-17 were rejected under 35 U.S.C. § 102(b) as being anticipated by Brandkamp (U.S. Patent No. 5,898,821). Applicant respectfully traverses.

As noted in the opening remarks, Applicant contends that the Office cannot deem Brandkamp's PDLs to be print jobs not in a print-ready format as such would be in direct conflict with Applicant's express definition as well as the express teachings of Brandkamp itself. Applicant thus contends that Brandkamp does not teach or suggest an archive file containing print jobs that are not in a print-ready format.

Claim 1 recites, in part, "perform operations based on the archive file type, wherein each archive file comprises one or more print jobs that are not in a print-ready format." Claim 10 recites, in part, "receiving an archive file containing one or more print jobs not in a print-ready format." Claim 16 recites, in part, "receiving an archive file containing one or more print jobs that are not in a print-ready format." In view of the foregoing, Applicant contends that claims 1, 10 and 16 are patentably distinct from the cited reference. As claims 2-3 include all patentable limitations of claim 1, claims 11 and 15 include all patentable limitations of claim 10, and claim 17 includes all patentable limitations of claim 16, these claims are also believed to be allowable.

Applicant thus respectfully requests reconsideration and withdrawal of the rejections under 35 U.S.C. § 102(b), and allowance of claims 1-3, 10-11 and 15-17.

Claim Rejections Under 35 U.S.C. § 103

Claims 4, 9, 13-14 and 19-20

Claims 4, 9, 13-14 and 19-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Brandkamp(U.S. Patent No. 5,898,821) in view of Mastie et al. (U.S. Patent No. 6,145,031). Applicant respectfully traverses.

Applicant contends that it has shown claims 1, 10 and 16 to be patentably distinct from the primary reference of Brandkamp. Applicant further contends that the secondary reference of Mastie et al. fails to cure the deficiencies of the primary reference with respect to teaching or suggesting an archive file containing print jobs that are not in a print-ready format. Accordingly, Applicant contends that claims 1, 10 and 16 continue to be patentably distinct from the cited references, taken either alone or in combination. As claims 4 and 9 include all patentable limitations of claim1, claims 13-14 include all patentable limitations of claim 10, and claims 19-20 include all patentable limitations of claim 16, these claims are also believed to be allowable. Applicant thus respectfully requests reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a), and allowance of claims 4, 9, 13-14 and 19-20.

Claim 7

Claim 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Brandkamp (U.S. Patent No. 5,898,821) in view of Venkatraman et al. (U.S. Patent No. 5,956,487). Applicant respectfully traverses.

Applicant contends that it has shown claim 1 to be patentably distinct from the primary reference of Brandkamp. Applicant further contends that the secondary reference of Venkatraman et al. fails to cure the deficiencies of the primary reference with respect to teaching or suggesting an archive file containing print jobs that are not in a print-ready format. Accordingly, Applicant contends that claim 1 continues to be patentably distinct from the cited references, taken either alone or in combination. As claim 7 includes all patentable limitations of claim1, this claim is also believed to be allowable. Applicant thus respectfully requests

reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a), and allowance of claim 7.

Claims 5, 12 and 18

Claims 5, 12 and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Brandkamp(U.S. Patent No. 5,898,821) in view of Mastie et al. (U.S. Patent No. 6,145,031) and further in view of Collard et al. (U.S. Patent No. 5,825,988). Applicant respectfully traverses.

Applicant contends that it has shown claims 1, 10 and 16 to be patentably distinct from the primary reference of Brandkamp and secondary reference of Mastie et al., taken either alone or in combination. Applicant further contends that the tertiary reference of Collard et al. fails to cure the deficiencies of the primary and secondary references with respect to teaching or suggesting an archive file containing print jobs that are not in a print-ready format. Accordingly, Applicant contends that claims 1, 10 and 16 continue to be patentably distinct from the cited references, taken either alone or in combination. As claim 5 includes all patentable limitations of claim1, claim 12 includes all patentable limitations of claim 10, and claim 18 includes all patentable limitations of claim 16, these claims are also believed to be allowable. Applicant thus respectfully requests reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a), and allowance of claims 5, 12 and 18.

Claims 6 and 8

Claims 6 and 8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Brandkamp (U.S. Patent No. 5,898,821) in view of Collard et al. (U.S. Patent No. 5,825,988). Applicant respectfully traverses.

Applicant contends that it has shown claim 1 to be patentably distinct from the primary reference of Brandkamp. Applicant further contends that the secondary reference of Collard et al. fails to cure the deficiencies of the primary reference with respect to teaching or suggesting an archive file containing print jobs that are not in a print-ready format. Accordingly, Applicant contends that claim 1 continues to be patentably distinct from the cited references, taken either alone or in combination. As claims 6 and 8 include all patentable limitations of claim1, these

claims are also believed to be allowable. Applicant thus respectfully requests reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a), and allowance of claims 6 and 8.

CONCLUSION

Claims 1-20 remain pending.

In view of the above remarks, Applicant believes that all pending claims are in condition for allowance and respectfully requests a Notice of Allowance be issued in this case. Please charge any further fees deemed necessary or credit any overpayment to Deposit Account No.08-2025.

If the Examiner has any questions or concerns regarding this application, please contact the undersigned at (612) 312-2204.

Respectfully submitted,

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